

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

KAIFI LLC

Plaintiff,

v.

T-MOBILE US, INC. and  
T-MOBILE USA, INC.,

T-Mobile.

Case No. 2:20-cv-281-JRG

**JURY TRIAL DEMANDED**

Honorable Rodney Gilstrap

**UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER**

Defendants T-Mobile US, Inc. and T-Mobile USA, Inc. (“T-Mobile”) respectfully submit this Unopposed Motion to Amend the Docket Control Order and would show the Court the following:

T-Mobile respectfully requests that the following deadlines be extended:

Current Deadline	New Deadline	Event
September 3, 2021	September 10, 2021	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court.  Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
September 3, 2021	September 10, 2021	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)

		No Motion to Strike Expert Testimony (including a <i>Daubert</i> Motion) may be filed after this date without leave of Court.
September 17, 2021	September 24, 2021	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV- 7(e), not to exceed the deadline as set forth in this Docket Control Order. <sup>2</sup> Motions for Summary Judgment shall comply with Local Rule CV-56.

These extensions will not affect any other deadlines in the Docket Control Order.

There is good cause for the requested one-week extensions of the Motion for Summary Judgment/Motion to Strike Experts opening and responsive briefs. Counsel for T-Mobile will have several attorneys working on this briefing that are scheduled to be out for good portions of the next couple of weeks. Additionally, mediation is scheduled during the briefing schedule.

WHEREFORE, Plaintiff and Defendants respectfully request that the Court extend the deadlines above and enter the attached proposed second amended docket control order.

Dated: August 27, 2021.

Respectfully submitted,

/s/ Melissa R. Smith

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*Counsel for Defendants T-Mobile US, Inc. and  
T-Mobile USA, Inc.*

**CERTIFICATE OF SERVICE**

I certify that the foregoing document was filed electronically on August 27, 2021 pursuant to Local Rule CV-5(a) and has been served on all counsel who have consented to electronic service.

/s/ Melissa R. Smith

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule CV-7(h), the undersigned meet and conferred with Plaintiff's on August 27, 2021 regarding the above referenced motion. Plaintiff is unopposed to the above motion.

/s/ Melissa R. Smith